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JIL 1 2 2004 IBIS0064-100 (DIBIS-0002US.P4)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: David J. Ecker, et al

Serial No.: 10/660,996

Group Art Unit: 1632

Filing Date: September 12, 2003

Examiner: Not Yet Assigned

For: METHODS FOR RAPID DETECTION AND

IDENTIFICATION OF BIOAGENTS FOR

ENVIRONMENTAL AND PRODUCT

TESTING

DATE OF DEPOSIT: Duly 8, 2004

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TYPED NAME: David A. Sadewasser REGISTRATION NO:55,587

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56 and in accordance with 37 C.F.R. §§ 1.97 and 1.98, information relating to the above-identified application is hereby disclosed, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO Form SB/08A and PTO Form SB/08B, formerly known as PTO Form 1449 submitted herewith.

Inclusion of the information submitted herewith is not to be construed as an admission that the information is material as that term is defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This I	nforma	tion Disclosure Statement is being filed:
	within	three months of the filing date of the patent application.
		three months of the date of entry into the national stage as set forth in R. § 1.491 of the international application.
\boxtimes	before	the mailing date of a first Office Action on the merits.
	mailin	the mailing date of a first Office Action on the merits, but before the g date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of ance under 37 C.F.R. § 1.311, and accordingly is accompanied by:
	\boxtimes	the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below);
		or
		the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p); or
	\boxtimes	No fee is owed by the applicant(s).
	Statem Final S C.F.R.	cordance with 37 C.F.R. § 1.129(a), this Information Disclosure tent is being filed in connection with the first or second After Submission, and accordingly is accompanied by the Statement under 37 § 1.97(e) (see "Statement" below) and the fee of \$180.00 as set forth in F.R. § 1.17(p), is attached.
	Notice with, to Statem Inform	the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a of Allowance under 37 C.F.R. § 1.311, but before, or simultaneously the payment of the Issue Fee, and accordingly is accompanied by the nent under 37 C.F.R. § 1.97(e), a Petition requesting consideration of the nation Disclosure Statement and the Petition Fee of \$130.00 set forth in F.R. § 1.17(i)(1) (see "Statement," "Petition," and "Fees" below).
		s of references listed on the attached PTO Form SB/08A and PTO Form B, formerly known as PTO Form 1449 are enclosed.
	EXCE	CPT THAT:
		In view of the voluminous nature of reference @@, and the likelihood that this reference is available to the Examiner, copies are not enclosed herewith.
		In accordance with 37 C.F.R. § 1.98(d), copies of the following references listed on the attached PTO Form SB/08A and PTO Form SB/08B, formerly known as PTO Form 1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application.

		Copies of references listed on the attached PTO Form SB/08A and PTO Form SB/08B, formerly known as PTO Form 1449 were previously cited by or submitted to the U.S. Patent and Trademark Office in parent application Serial No. @@ filed on
		If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.
Staten	nent un	der 37 C.F.R. § 1.97(e)
	in the foreign	Information Disclosure Statement was cited in a communication from a patent office in a counterpart foreign patent application not more than nonths prior to the filing of the Information Disclosure Statement.
Staten	nent un	der 37 C.F.R. § 1.704(d)
	contain common the con in §1.5	ndersigned attorney hereby states that each item of information ned in the Information Disclosure Statement was cited in a unication from a foreign patent office in a counterpart application and mmunication was not received by any individual designated 16(c) more than 30 days prior to the filing of the Information sure Statement.
Fees		
\boxtimes	No Fee	e is owed by the applicant(s).
		nformation Disclosure Statement Fee of \$180.00 under 37 C.F.R. (p) is enclosed herewith.
	The Pe	etition Fee of \$130.00 under 37 C.F.R. § 1.17(i)(1) is enclosed herewith.
Metho	od of Pa	syment of Fees
		ned is a check in the amount of \$ This form is sted in duplicate.
		e Deposit Account No. 50-1275 in the amount of \$180.00. This form is sted in duplicate.
\boxtimes	Please 50-127	charge any deficiency or credit any overpayment to Deposit Account 75.

No fee or Statement is required under 37 C.F.R. § 1.97(b).

Respectfully submitted,

Dated: July 8, 2004

COZEN O'CONNOR, P.C. 1900 Market Street, 5th Floor Philadelphia, PA 19103-3508 (215) 665-2000 – Telephone (215) 665-2013 - Facsimile David A. Sadewasser Registration No. 55,587

PTO/SB/21 (08-03)

Approved for use through 07/31/2006, OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TDANIONITTAL	Application Number	10/660,996	
TRANSMITTAL	Filing Date	September 12, 2003	
FORM	First Named Inventor	David J. Ecker	
(to be used for all correspondence after initial filing)	Art Unit	1632	
	Examiner Name	Not Yet Assigned	

Total Number of Pages in This Submission Attorney Docket Number IBIS0064-100 (DIBIS-0002US.P4) ENCLOSURES (check all that apply) After Allowance Communication to Fee Transmittal Form Drawing(s) Group Appeal Communication to Board of ☐ Fee Attached Licensing-related Papers Appeals and Interferences Petition Appeal Communication to Group Amendment / Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information **Provisional Application** Power of Attorney, Revocation Affidavits/declaration(s) ☐ Status Letter Change of Correspondence Address Terminal Disclaimer Other Enclosure(s) Extension of Time Request (please identify below): International Search Report Request for Refund dated June 24, 2004. Express Abandonment Request CD, Number of CD(s) _____ Information Disclosure Statement Certified Copy of Priority Remarks Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm David A. Sadewasser/Reg. No. 55,587, Individual name Signature Date

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

David A. Sadewasser

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David a Sadewisser

Date

July 8, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IBIS0064-100 (DIBIS-0002US.P4)

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Attorney Docket Number

Substitute for form 1449A/PTO Complete if Known Application Number 10/660,996 INFORMATION DISCLOSURE Filing Date September 12, 2003 STATEMENT BY APPLICANT First Named Inventor David J. Ecker Art Unit 1632 (Use as many sheets as necessary) Examiner Name Not Yet Assigned

Sheet

of

			U.S. PATENT	OCUMENTS	
Examiner	Cite	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant
Initials *	Cite No. ¹	Number - Kind Code ² (if known)	MM-DD-YYYY	Cited Document	Passages or Relevant Figures Appear
	A1	US-6,613,509	09/02/2003	Chen	
	A2	US- 6,043,031	03/28/2000	Koster et al	
	A3	US- 6,221,587	04/24/2001	Ecker et al	
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		FOREIGN PA	TENT DOCU	MENTS	Tyl	
Examiner	Cite	Foreign Patent Document	Publication	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
Initials*	No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>)	Date MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T ⁶
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Examiner Signature	Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered, include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

INTERNATIONAL SEARCH REPORT

International application No.

A. CL	ASSISTED ATION OF GUARANTE	PCT/US(03/38757
IPC(7)	ASSIFICATION OF SUBJECT MATTER : C12Q 1/68; C12P 19/34		
US CL	: 435/6 91 2		
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C. DOC	UMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where a	ppropriate, of the relevant passage	S Delaw
X,P	1 cicroisos (Chen) os September 3003 (5 o 50	03) entire document especially col	
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	US 6,043,031 (KOSTER et al) 28 March 2000 (28, column 16, lines 16-67, column 17, lines 16-67, column	3.2000) entire document, especiall	у 1, 12, 14, 17
Y	column 16, lines 16-67, column 17, lines 1-64, col	umn 23, lines 13-67	
ļ			2-11, 13, 15-16, 18-2
Y	US 6,221,587 (ECKER et al.) 24 April 2001 (24.4. column 7, lines 22-62	2001) entire document, especially	11, , 13, 21, 23
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